

Notice of Allowability

Application No.

09/786,477

Applicant(s)

SEMENCHENKO, MICHAEL
GRIGORIEVICH

Examiner

Dennis Rosario

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amt. 2/9/2005.
2. ☒ The allowed claim(s) is/are 1-23.
3. ☒ The drawings filed on 09 February 2005 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date May 28, 2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Alexander Rabinovich on July 22, 2005.

The application has been amended as follows:

Claim 1, line 2 change "discrete picture elements (pixels)" to --pixels--.

Claim 1, line 8 change "performed" to --made--.

Claim 1, line 14 change "(by their location in the image)" to -- ,by their location in the image, --.

Claim 1, line 19 change "(by their location in the image)" to -- ,by their location in the image, --.

Claim 7, line 2 change "picture elements (pixels)" to --pixel--.

Claim 12, line 1 delete "said picture" and insert --each of said pixels--.

Claim 12, line 2 delete "element (pixel)".

Claim 16, line 1 change "(Previously presented)" to --(Currently amended)-

Response to Amendment

2. The amendment was received on February 9, 2005. Claims 1-23 are pending.

Specification

3. The specification (mark-up and clean) has been entered on 2/9/2005.

Claim Rejections - 35 USC § 112

4. Due to the specification of 2/9/2005 and amendment on pages 9 and 10, the rejection of claims 1 and 6 is withdrawn.
5. Due to the amendment the rejection to claim 7 is withdrawn.

Claim Objections

6. Due to the amendment of claim 16 and the respective explanation on pages 10,11 the objection of claims 16,21,22 and 23 is withdrawn.

Drawings

7. Drawings of figures 1-8 entered on 2/9/2005 are acceptable and the objection of figure 2 is withdrawn.

Response to Arguments

8. Applicant's arguments, see page 12, lines 4-6, 25-27 filed 2/9/2005, with respect to claim 1 have been fully considered and are persuasive. The rejection of claim 1 has been withdrawn. Thus the rejection the dependent claims 2-23 are withdrawn.

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Allowable Subject Matter

9. Claims 1-23 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claim 1, applicants properly point out, stating on page 12, lines 4-6, "On the contrary, the present invention suggests to isolate the low frequency components in the low frequency channel." And on lines 25-27, "On the contrary...the high frequency channels are obtained from the original image."

Hence, and in view of applicants arguments, amendment and in combination with all of the other elements of the claim, claim 1 is allowable over the closest prior art of Li et al. (USP 5,602,934 A). Thus, respective dependent claims 2-23 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Matama (US Patent 5,739,922 A) is pertinent as teaching all the limitations of claim 1 except for the limitation of "comparing said correlation value with... correlation values...and with a...threshold value." In contrast, Matama compares a correlation value " ϵ " as shown in fig. 13, which is compared to a threshold "Th" as shown in fig. 14A. Matama does not compare a correlation value with correlation values, instead Matama sums a plurality of correlation values to obtain ϵ as shown in fig. 13 for comparison as shown in fig. 14A.

Tsuruoka (USP 5,892,850 A) is pertinent as teaching a method of splitting an original image into high and low frequency components where each component is directly from the original image. Tsuruoka does suggest detecting edges in fig. 15, num. 801: HIGH FREQUENCY EMPHASIZING SECTION, but Tsuruoka and the prior art does not teach the remaining limitations of wherein said detecting edge is performed by the claimed steps of calculating, comparing and forming.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Rosario whose telephone number is (571) 272-7397. The examiner can normally be reached on 6-3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on (571) 272-7695.

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The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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